Appl. No. 09/687,151 Amelt, dated April 27, 2010 Amendment under 37 CFR 1,116 Expedited Procedure Examining Group 2424

REMARKS/ARGUMENTS

Amendments

The claims are modified in the amendment. More specifically, claims 1, 9, 30 and 31 have been amended, and no claims have been canceled. Claims 5, 14-20, 23, 24 and 26 were previously canceled. Therefore, claims 1-4, 6-13, 21, 22, 25 and 27-34 are present for examination. The amendments were made in response to a suggestion by the Examiner made in an interview for reasons of clarity only and do significantly change the scope of the claims. Applicants reserve the right to pursue any un-amended, canceled or withdrawn claims in a continuing application without any prejudicial offects. No new matter is added by these amendments. Applicants respectfully request reconsideration of this application as amended.

Interview After Final

The other day, the Examiner granted an interview to discuss the application. The above amendments were suggested by the Examiner for clarification only and do not significantly change the scope or meaning of the claims. The Rodriguez reference was discussed in reference to the cited portions of Rodriguez not being prior art to this application. It was agreed upon that the provisional applications upon which Rodriguez benefitted from did not disclose the limitations cited in the Office Action and, therefore, Rodriguez is not prior art to this application. Granting of interviews after a final office action is discretionary, and Applicants especially appreciate this opportunity.

35 U.S.C. \$103 Rejections

The Final Office Action ("Office Action") has rejected claims 1-4, 6-13, 21-22, 25 and 27-34 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of U.S. Patent No. 6,996,676 to Prochl et al. (hereinafter "Prochl") in view of the cited portions of U.S. Patent No. 5,884,141 to Inoue (hereinafter "Inoue"), further in view of U.S. Patent No. 6,986,156 to Rodriguez (hereinafter "Rodriguez"). As discussed above, Rodriguez is not prior art to this

Appl. No. 09/687.151 Ansh. dated April 27, 2010 Ansendment under 37 CFR 1.116 Expedited Procedure Examining Group 2424

application. Therefore, it is respectfully requested that the finality of the Office Action be withdrawn and either the claims be allowed, or a new non-final office action be issued.

CONCLUSION

In view of the foregoing, Applicants helieve all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersiened at 303-571-4000.

Respectfully submitted,

Thomas D. Franklin Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834 Tel: 303-571-4000 Tex: 415-576-0300 TDF:klb